

Wotherspoon in his submission, reminded the Tribunal that in decision 4/90 it issued a second serial restriction order of indecent in the hands of persons under the age of 18 years. Nonetheless the Tribunal is satisfied that the particular issues of *In Touch For Men* which are sublisted in category A would not be injurious to readers of 16 years and over.

Category B

The Tribunal finds that the following publications, although not injurious to the adult population, would be so to younger readers and therefore classifies each as indecent in the hands of persons under the age of 18 years:

Title	Publisher
<i>100 Numbers</i> , Vol. 1.	Blueboy Inc.
<i>In Touch For Men</i> , No. 42 (July/August 1979)	In Touch Inc.
<i>In Touch For Men</i> , No. 43 (September/October 1979)	In Touch Inc.
<i>In Touch For Men</i> , No. 65 (March 1982)	In Touch Inc.
<i>In Touch For Men</i> , No. 114 (May 1986)	In Touch Inc.
<i>Numbers</i> , June 1981, Vol. 40	Blueboy Inc.
<i>Numbers</i> , December 1981, Vol. 45	Blueboy Inc.
<i>Stallion</i> , August 1986, Vol. 5, No. 4	Stallion Publications.
<i>Visions of Men</i> , Vol. 6 Summer 1980	BIF Corp.

The publications in this category are comprised mostly of single nude male models. They each contain some multiple model scenes but these are restrained. In decisions 28/89 and 81/89 the publication *Stallion* was classified as indecent in the hands of persons under the age of 18 years. And, as has been noted already, in decision 4/90 the Tribunal issued a serial restriction order of indecent in the hands of persons under the age of 18 years, in respect of the publication *In Touch For Men*. The issues of that publication which are contained in this application were published prior to decision 4/90. The Tribunal agrees with Mr Wotherspoon that the issues of this publication not sublisted in category A of this decision warrant a classification of indecent in the hands of persons under the age of 18 years.

Category C

The Tribunal is satisfied that the following publications are injurious to the public good and classifies them as unconditionally indecent:

Title	Publisher
<i>Honcho</i> , January 84, Vol. 6, No. 10	Modernismo Pubs Ltd.
<i>Numbers</i> , Vol. 2, No. 8	Numbers (AUL)
<i>Numbers</i> , August 1980, Vol. 30	Blueboy Inc.

The publications in this category, directed at the homosexual market, are mainly comprised of photographs of nude male models with some emphasis on the genitalia. *Numbers*, Vol. 2, No. 8, contains explicit multiple model homosexual scenes. *Numbers*, August 1980, Vol. 30, as well as containing multiple model scenes, also contains an article on fisting and in a section entitled "Love Thy Leather Lust" piercing and bondage are depicted. In respect of *Honcho*, Vol. 6, No. 10, Mr Wotherspoon reminded the Tribunal that in decision 2/90 it issued a serial restriction order on the publication, whilst indecent in the hands of persons under the age of 18 years. In observing that *Honcho*, Vol. 6, No. 10, was published prior to decision 2/90, and therefore it was not covered by the serial restriction order, Mr Wotherspoon indicated that it was uniform in content and that it was considered that a similar classification should apply. The Tribunal cannot agree. In this

issue of *Honcho* there are photographs of nude male models engaged in masturbation. Also the article, "Gymstuds" (a play master slave story) is semi-violent, and urolagnia takes place (obviously with approval). A little further on there is an episode of anal fisting (with a penis at the same time). The Tribunal has applied the matters referred to in section 11 of the Act as well as the definition of indecency in section 2 to these publications. The Tribunal is of the opinion that these magazines are injurious to the public good and classifies them unconditionally indecent for the above reasons.

Dated at Wellington this 24th day of October 1990.

P. J. CARTWRIGHT, Chairperson.

Indecent Publications Tribunal.  
go13933

Decision No. 54/90

Reference No.: IND 48/90

Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publication: *Your Sex Life*. Publisher: Harrap Books Ltd.:

Chairperson: P. J. Cartwright.

Members: W. K. Hastings and S. C. Middleton.

Hearing at Wellington on the 11th day of September 1990.

Appearances: No appearance by or on behalf of the importer. M. J. Wotherspoon on behalf of the Comptroller of Customs.

Decision

This publication was commercially imported through Auckland sea freight on or about 1 May 1990 and was seized by the Collector of Customs. The importer having subsequently disputed forfeiture the publication has been referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

The Tribunal agrees with Mr Wotherspoon that this publication is a high-quality sex guide. It has been written by a medical practitioner in conjunction with a medicinal herbalist. It contains sections on sexual anatomy, sexual physiology, contraception, maintenance of sexual health and useful comment on sexually transmitted infections.

Section 3 of the Contraception, Sterilisation and Abortion Act 1977, *inter alia*, was repealed recently. Accordingly there is now no impediment to the Tribunal classifying responsible publications of this nature as not indecent. Accordingly the publication the subject of this application, *Your Sex Life*, is classified as not indecent. In making this classification, however, the Tribunal appreciates, because the seizure of this publication by the Collector of Customs was made prior to the amendment which repealed section 3 of the Contraception, Sterilisation and Abortion Act 1977, that he had no option other than to proceed with this application.

Dated at Wellington this 24th day of October 1990.

P. J. CARTWRIGHT, Chairperson.

Indecent Publications Tribunal.  
go13934

Decision No. 55/90

Reference No.: IND 51/90

Before the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for a decision in respect of the following publication: *Mach 20*. Publisher: Desmodus Inc.:

Chairperson: P. J. Cartwright.